

**U.S. DEPARTMENT OF LABOR**

SECRETARY OF LABOR  
WASHINGTON, D.C.

In the Matter of	)	
	)	
<b>ALAMEDA</b> COUNTY TRAINING AND	)	
EMPLOYMENT BOARD/ASSOCIATED	)	
COMMUNITY ACTION PROGRAM	)	
Petitioner	)	
	)	
<b>v.</b>	)	Case No. 81-CTA-63
	)	
UNITED STATES DEPARTMENT	)	
OF LABOR	)	
Respondent	)	

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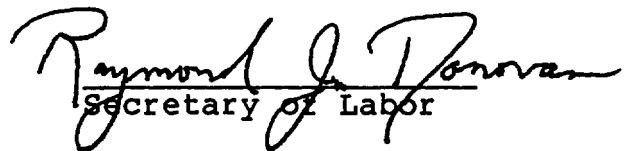
ORDER GRANTING STAY

Now before me are (1) an "Application for Stay of Administrative Order," submitted to me by counsel for the Alameda County Training and Employment Board/Associated Community Action Program (ACTEP/ACAP), and (2) a "Response" thereto submitted on behalf of the Grant Officer, by this Department's Associate Solicitor for Special Appellate and Supreme Court Litigation.

In the "Application," counsel for ACTEP/ACAP states that it has filed with the United States Court of Appeals for the Ninth Circuit a "Petition for Review" of the Administrative Law Judge's (**ALJ's**) January 14, 1983, Decision and Order in the above-captioned matter, and requests a stay, pending judicial review of that decision, of implementation of the **ALJ's** order therein that the Board "forthwith repay to the U.S. Department of Labor, to the extent that it has not already done so, the sum of **\$135,117.60.**"

In the "Response," **"the** Grant Officer ... states that he has no objection to the granting of such a stay subject to the following condition designed to assure that adequate funds are available to satisfy the requirements of the Secretary's order: (1) that the petitioner execute a written agreement to remit by certified check and within 30 days of the judgment of the court of appeals all sums due under the decision of the Secretary as modified or affirmed by the court of appeals that have not been previously repaid."

Upon consideration of the foregoing, it is Ordered that implementation of the Administrative Law Judge's above-referenced Decision and Order IS STAYED pending review of it by the United States Court of Appeals for the Ninth Circuit: Provided, however, That the stay is subject to the above-quoted condition requested by the Grant Officer, and that the written agreement referred to in that condition shall be executed within 30 days of the date of issuance of this Order.

  
Secretary of Labor

Dated: September 27, 1983  
Washington, D.C.

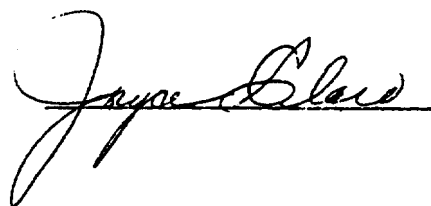
CERTIFICATE OF SERVICE

Case Name: Alameda County Training and Employment Board/ACAP  
v. United States Department of Labor

Case No.: **81-CTA-63**

Document: Order Granting Stay

The above-referenced document was mailed to the persons listed  
below on September 27, 1983.



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